REAUTHORIZATION OF THE NATIONAL TRANSPORTATION SAFETY BOARD

(103–12)

Y 4. P 96/11: 103-12

Reauthorization of the National Tra...

RING

BEFORE THE

SUBCOMMITTEE ON AVIATION

OF THE

COMMITTEE ON

PUBLIC WORKS AND TRANSPORTATION

HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

MAY 4, 1993

Printed for the use of the Committee on Public Works and Transportation

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JACK SCHENENDORF, *Minority Staff Director*

MEMORANDUM

TO: Members of the Subcommittee on Aviation

FROM: Committee's Aviation Staff

DATE: April 29, 1993

RE: **SUMMARY OF SUBJECT MATTER** for Aviation Subcommittee hearing on National Transportation Safety Board Reauthorization, May 4, 2:00 p.m..

The current authorization of the National Transportation Safety Board (NTSB) extends through Fiscal Year 1993. The main issues likely to be considered at this hearing are the appropriate funding and staffing levels for the NTSB for subsequent fiscal years. The NTSB proposes a three year reauthorization, which is consistent with the last reauthorization legislation.

The NTSB is an independent agency responsible for investigating and determining the probable cause of accidents in five transportation areas: aviation, highways, rail, pipeline, and marine. In addition to its accident investigation, the NTSB also has the responsibility of making recommendations to Federal, State, and local agencies and to private parties to prevent the recurrence of accidents. The NTSB is also responsible for conducting special studies and investigations on matters pertaining to transportation safety, and reviewing and evaluating the performance of other transportation agencies in achieving safety. Historically, the NTSB has devoted most of its resources to aviation, although it makes a substantial number of safety recommendations for other modes of transportation as well.

The NTSB is comprised of five members appointed by the President for five year terms. The Chairman and Vice Chairman each serve for a term of two years. No more than three Board Members may be from the same political party. At least three members must be appointed on the basis of their demonstrated qualification in, or knowledge of accident reconstruction, safety engineering, human factors, transportation safety, or transportation regulation. The Members are appointed in staggered terms. There are currently three Republicans (Chairman Carl Vogt, Vice Chair Susan Coughlin, and Member John Hammerschmidt) and two Democrats (Member John Lauber and Member Christopher Hart) serving on the Board. Chairman Vogt is the newest Board Member, having been appointed by President Bush in June 1992. Vice Chair Coughlin's term will be the next to expire on December 31, 1993.

In the early 1980's, the NTSB had a staff of 401 positions. Congressional authorizations were designed to keep the NTSB staff at this level, but cuts made in President Reagan's budget and by the Appropriations Committee reduced the NTSB staff to 308 positions in fiscal year 1983.

For the past two fiscal years, the authorizing legislation has provided funding for a staff of 381 employees, but the Appropriations Committee legislation has limited the NTSB staff to 352 and 357 full time equivalent (FTE) employees for FY 1992 and FY 1993 respectively. Authorizations and appropriations for the last few years are summarized in the table below.

AUTHORIZATION VS. APPROPRIATION
FYs 1991-1993

	FY 1991	FY 1992	FY 1993
AUTHORIZATION	$31.0	$38.6	$38.8
DOLLARS (IN MILLIONS)	348	381	381
EMPLOYEES (FULL TIME EQUIVALENT)			
APPROPRIATION	$31.5	$34.7	$36.0
DOLLARS (IN MILLIONS)	344	352	357
EMPLOYEES (FULL TIME EQUIVALENT)			

The reauthorization legislation requested by the NTSB provides for a three year reauthorization of $37.125 million for FY 1994, $44 million for FY 1995, and $45.1 for FY 1996. These funding levels would support a staff of 348 FTEs in FY 1994, 384 FTEs in FY 1995, and 384 FTEs in FY 1996. The current FTE authorization is 381. The current FTE appropriation is 357. Historically, the difference between the authorized and the appropriated FTE levels is consistently around 20 positions.

In response to President Clinton's call for a reduction in federal positions, the Office of Management and Budget directed the NTSB to reduce their current staff. Consequently, the NTSB proposed FTE authorization would result in a reduction from 381 in FY 1993 to 347 in FY 1994. This is a reduction of 9 positions from the FY 1993 appropriated FTE levels. The reduction in positions is anticipated to come solely through attrition. Consequently, some areas, such as surface transportation investigations, are expected to take a disproportionate FTE reduction (3 FTE positions). This is attributable to anticipated retirements, rather than because surface transportation investigations are considered to be more expendable than other accident investigations. Raises and promotions for the

remaining reduced staff are expected to be unaffected during FY 1994. The NTSB does not anticipate that the historical difference between the authorized and appropriated FTE levels will exist for FY 1994 in light of the reduced authorization request.

For purposes of the FY 1995 and FY 1996 FTE authorizations, the NTSB assumes that the FY 1993 FTE authorization can be restored, and requests an additional three positions to assist with the civil penalty adjudication authority recently transferred to the NTSB from the Federal Aviation Administration. This brings the FTE authorization request for those years to 384.

The new authority for which the additional positions are requested requires the FAA to argue its civil penalty cases involving airmen and mechanics before NTSB Administrative Law Judges (ALJs). The ALJ decisions are appealable to the full Board. The additional staff is required to ensure that the new cases are handled expeditiously. This authority was transferred to the NTSB in 1992, therefore, cases will begin to accumulate in FY 1994. While the NTSB would have liked the staff in place to deal with the increased caseload before a backlog develops, OMB rejected any increase. Consequently, the NTSB has put off its request until FY 1995.

With regard to the potential effect that the FY 1994 FTE reduction will have on NTSB operations, the NTSB expects that its ability to follow up on its safety recommendations in some areas may be negatively impacted, as well as the timeliness of some of its reports. In addition, surface transportation investigations are expected to be impacted due to the proposed reduction in that staff, discussed above.

In addition to staffing, each year's funding requests include funding for a variety of items such as upgrades in computers, pay raises, promotions, training, and laboratory equipment. If further information is needed, the Subcommittee staff has a detailed breakdown of the budget request.

REAUTHORIZATION OF THE NATIONAL TRANSPORTATION SAFETY BOARD

TUESDAY, MAY 4, 1993

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AVIATION,
COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:12 p.m. in room 2167, Rayburn House Office Building, Hon. James L. Oberstar (chairman of the subcommittee) presiding.

Mr. OBERSTAR. The Subcommittee on Aviation will come to order.

The subject of today's hearing is the reauthorization for the National Transportation Safety Board, a Federal Government agency that happens to be my favorite in all the Federal structure. The NTSB is unique within the Federal Government. It has a bipartisan membership whose professional responsibilities transcend politics in order to make travel throughout the United States and around the world safer. Its responsibilities go beyond travel, as Mr. Clinger and I both learned in the years we worked on the Investigations and Oversight Subcommittee, to include pipeline safety, bridge safety, dam safety, and many other areas of safety. But it is unique in that it is the only entity in the Federal structure that has that ability to bring together into one place and create a synergism of interaction and lessons learned from one mode and relate them to another. It has existed as an independent agency only since 1974, but the contributions to safe travel and to safety in general are unquestioned and unanimously respected.

It is a testament to the reputation of the Board that we could not find anyone who wanted to testify at this hearing, other than its Chairman Vogt. The Board's safety recommendations are truly beyond reproach. It is difficult for the aviation community to criticize the work that the Board does with its relatively small staff and small budget.

The major responsibilities are investigating and determining probable cause of accidents in the five separate transportation modes—aviation, highway, rail, pipeline, and marine. In the course of its investigations, the Board seems always able to find ways to improve safety in transportation, safety in all of the other modes, and makes appropriate recommendations to the various Federal Government agencies responsible for those modes.

The Board's recommendations are just exactly that—they are recommendations. It does not have the authority to impose its recommendations or to take action in any particular area or require any Government agency, however meritorious its recommendations

may be, to carry out those recommendations. On the other hand, because of the enormous integrity of the Board and quality of its work, Government agencies often find themselves faced with enormous public pressure as well as pressures from the Congress to act in response to those recommendations. Government agencies also are faced with other pressures to avoid taking action as recommended by the Board because those actions might impose significant costs or they may require them to take actions on transportation modes that are having financial difficulties. So those agencies may not want to move as the Board has recommended.

Sometimes those choices of not to act have lead to tragic results. We were reminded of that just last month when the Governor of South Dakota, George Mickelson, and seven others died April 19 in a tragic plane crash in Iowa. The aircraft model involved in the accident, a Mitsubishi MU–2B–60, had been previously involved in a similar crash that resulted in an investigation by the Board, the Rochester crash. The Board recommendation after that initial accident was for the FAA to require inspections of Hartzell propeller hubs on those Mitsubishi MU–2 aircraft to improve the detection of fatigue cracks in those hubs. The FAA, thinking about it, measured that one incident against the millions of hours that it said it had been flown, decided not to require such inspections.

The Board has not yet issued its official accident report on the Mickelson crash, but there is a very strong belief and a very strong suspicion that it was caused by the very kind of fatigue crack in the propeller hub that the Board recommended initially be inspected and reviewed. On April 28, nine days after Governor Mickelson died, the FAA issued an Airworthiness Directive that requires the propeller hub assemblies on those Mitsubishi aircraft be removed, inspected, and, as the case may require, reworked in accordance with the service bulletin, complying at last with the Board's recommendation.

As we will hear from Chairman Vogt this afternoon, 80 percent of the Board's recommendations have been implemented since the inception of the NTSB. There is not gridlock between the NTSB and its principal clients, if you will, the FAA. There has been creative tension between the two agencies but the FAA has implemented the Board's recommendations at least four out of five cases, and that is a remarkable record.

Thanks to the reputation of the Board, its staff, its appointed members, the work is not limited to our own boarders within the continental U.S. Governments around the world turn to the NTSB for technical assistance and advice on transportation accidents. The Dutch government turned to the Board for assistance after the El Al jet crashed into an apartment building on the outskirts of Amsterdam shortly after take-off from Schipol Airport on October 4, 1992. The Board assisted with the metallurgical examination as well as the examination of the flight data recorder. Their participation in that respect is beneficial because it not only indicates the excellence of the Board's work, but because American carriers often operate the same type and model of aircraft as foreign carriers under same or similar conditions in other countries. To the extent that accident investigations of this type provide insight into aircraft design flaws or operational problems, or the need for targeted

inspections or for other safety procedures, travellers in the U.S. benefit from the Board's work overseas in its investigations of international accidents. I recall also a few years ago when Canada was setting up its own first time ever counterpart to our NTSB they came down here to the U.S. to see how our Board is established, how it operates, to try to establish a similar cadre of experts.

Notwithstanding this Board's great success record and expertise, we do have to be vigilant in preserving means necessary for the Board to continue to perform its job in a thorough and efficient manner. Under the years of the Reagan Administration and the budget cuts that characterized the early 1980s, the Board was subjected to across the board cuts that had the effect of severely reducing the professional staff. In 1982, that staff was cut by 27 percent. It had the obvious impact of delaying accident investigation reports, limiting the number and detail of the reports that were produced.

Since that time, the Congress has worked to restore the levels of funding and restore the staffing to this Board. The Administration came around to realize that those were misguided cuts. Despite the fact that the Board has not yet fully recovered from staffing cuts of over ten years ago, the Board is now slated to lose nine positions pursuant to OMB directives. We have got a new gang in town, new crowd that came in, looked the scene over and said "we have got to cut Government, got to make it smaller, everybody has got to feel some pain, and here's a place to cut." The trouble is when you cut here at the Safety Board, the accident that you don't protect may be your own. The Board proposes to meet the requisite staff reductions through attrition. I want to hear how they are going to do that. It seems to me awfully difficult given this very limited staff already in place. I also want to hear how these reductions are going to affect the Board's performance of its responsibilities.

The Safety Board also serves as the adjudicatory body for certificate actions and for some of the civil penalty cases initiated by the FAA. The authority to adjudicate civil penalty cases was transferred to the NTSB from FAA last year under legislation emanating from this committee. Consequently, just as the Board's statutory responsibilities are growing, they are slated for a staff reduction. I don't know how you are going to do that. I am looking forward to hearing how and in what ways the Board plans to carry out its responsibilities and still provide the quality of service necessary.

I do want to welcome Chairman Vogt, the newest Chairman of the NTSB, appointed on June 23, 1992. He has many distinguished credentials, including a commercial pilot's license, and a man who has already proven to be a great asset to the important work of the National Transportation Safety Board.

Mr. Clinger.

Mr. CLINGER. Thank you, Mr. Chairman. You have indicated the National Transportation Safety Board is certainly our Government's principal source of information for accident cause and prevention in a whole range of modes. Throughout the Board's 25 year existence, the NTSB has contributed immeasurably toward improving safe transportation in literally every mode of conveyance. Every

citizen has, at one time or another, been a direct beneficiary of the NTSB's work because of their exhaustive research into accident analysis and prevention. Many, many lives have been saved because of the work which the Board has done over the years.

Through its findings and recommendations, the NTSB has enhanced the safety characteristics in the design and operation of aircraft, busses, trains, ships, and pipelines. A major strength of the agency has been, and continues to be, its independent status. By remaining autonomous from other Federal agencies and departments, the Board is free to investigate and critique Federal agencies as well as private and public operators of transportation systems without fear of being corrected or punished for having done so.

Looking only at the aviation industry, the NTSB indeed faces a daunting task. The number and sophistication of commercial aircraft are increasing daily. New technologies—including composites, fly-by-wire, new navigation systems—are being introduced into the fleets at a rapid rate. Flight deck management skills seem to be in a constant state of flux as carriers and manufacturers strive to achieve a high degree of reliability in the man-machine interface for these highly complex, computer-dependent aircraft and this poses real challenges for the Board as this technology and this interface continues to evolve.

Just as critical, the economics of the industry clearly has an effect. Air carriers—and for that matter trucking, shipping, and rail firms—work to extract every last penny of productivity out of their employees and equipment. This is increasingly the case certainly in the aviation industry given the squeeze out and the recession and all of the problems that have beset the industry.

So in this highly competitive era, the NTSB plays an increasingly critical role. I am particularly proud of the professionalism and expertise that resides within the NTSB as I have observed it during my tenure on this committee. This is an agency whose mission has to be, must be, protected from outside interference and strengthened so that they may continue to provide a uniformly high degree of investigatory skills and the resources to study and advocate safety improvements in our transportation sector.

Mr. Chairman, I want to join with you in welcoming Mr. Vogt, Chairman of the Board, before our committee this afternoon. He has been a fine leader of the Board, and we look forward to his testimony as we prepare to reauthorize the vital work the Board conducts.

Thank you, Mr. Chairman.

Mr. OBERSTAR. Thank you, Mr. Clinger.

Are there other members who wish to make opening remarks? Mr. Kim.

Mr. KIM. Mr. Chairman, I am from the private sector and I never have held any public position so I only know a little bit about NTSB. I know it is an important board.

Sir, you mentioned that since 1982 there has been a drastic cutback of 25 percent. But, I look at the chart in your report and, as a matter of fact, found that in 1981 the transportation fatalities show 56.4 percent and in 1982 dropped to 50.6 percent. After the cut back in the staff, and the accident rates have also gone down

drastically to 49 percent. For 1991, it dropped further to 45.7 percent. It seems to me the cut-back staff was the last accident put into this table. I am not saying that we should have cut drastically, but I don't see any relationship adding more staff versus accident rate.

Also, according to the report, there is an increase of funding by 19 percent and also increased staffing by 36 members. I remember President Clinton said he wanted to reduce the Federal employees by 100,000; yet, here we are, asking for an increase of 36 staff members and a budget hike of 19 percent. It is very contrary to President Clinton's wishes and his policy, and I have a deep concern. I just want to make the record clear because, according to the table I have, accidents have been rapidly declining.

Thank you, Mr. Chairman.

Mr. OBERSTAR. The President's budget proposes reduction for NTSB, not increases.

We will be happy to have your statement at this time, Mr. Vogt. We welcome you to the committee and thank you very much for being with us today.

Before we begin to hear from our witness, I would like to insert into the record at this point a statement received from our colleague from Illinois, Mr. Costello.

[Mr. Costello's prepared statement follows:]

STATEMENT OF HON. JERRY F. COSTELLO

Mr. Chairman, I want to thank you for calling this hearing today to discuss the reauthorization of the National Transportation Safety Board (NTSB). The current authorization extends through fiscal year 1993.

The NTSB is an independent agency responsible for investigating and determining the probable cause of accidents in five transportation areas: aviation, highways, rail, pipeline, and marine. In addition, the NTSB has the responsibility of making recommendations to federal, state and local agencies to prevent the recurrence of accidents. The NTSB is also responsible for conducting studies and investigations on matters pertaining to transportation safety, and reviewing and evaluating the performance of other transportation agencies in achieving safety.

Today's hearing will examine the reauthorization legislation submitted by the NTSB. I welcome you, Chairman Vogt, and look forward to your testimony.

Mr. OBERSTAR. You may proceed, Mr. Vogt.

TESTIMONY OF CARL W. VOGT, CHAIRMAN, NATIONAL TRANSPORTATION SAFETY BOARD, ACCOMPANIED BY BUD LAYNOR, DEPUTY DIRECTOR FOR AVIATION SAFETY, AND GEORGE REAGLE, DIRECTOR, SURFACE TRANSPORTATION DIVISION

Mr. VOGT. Thank you, Mr. Chairman and members of the committee. It is an understatement to say it is a pleasure and a privilege to be here representing the NTSB before you. What this committee has done for the NTSB and in the interest of safety over the years is appreciated by everyone on our staff. And so it is a pleasure for us to work with you and we greatly appreciate your support.

Before discussing our three-year reauthorization, I thought I might take a few minutes to review some of the Board's activities over this recent time period.

As I think all of you know, this year marks the 25th anniversary of the NTSB. And as the Chairman pointed out in his opening re-

marks, we believe, and agree with you, that the Board in this 25 year history has made some significant contributions to safety in all modes of transportation not only domestically, but in the rest of the world as well.

As a result of more than 50,000 Safety Board accident investigations in the past quarter century and a number of safety studies, some of which related to accidents, some of which were prospective, we have issued more than 9,000 safety recommendations. And as you pointed out, sir, in your opening remarks, with the FAA, which is the primary recipient at least of the most numbers of our recommendations, we have over an 80 percent acceptance rate. And I would point out that in urgent recommendations which we have made, the acceptance rate is almost 91 percent.

As Mr. Kim has pointed out, the safety of America's transportation system improved in 1992 with fewer deaths reported than in previous years. Although we only have preliminary data available now, it would appear that fewer than 42,000 people died in transportation in our systems in 1992. In 1991, transportation-related fatalities totalled 43,631, and in 1990, 47,014. So since 1991, a decrease from 47,014 to what we estimate will be something under 42,000 this year is progress that I think the whole country can be very proud of. There are, of course, many reasons for that.

In aviation, our January preliminary statistics show the number of fatalities aboard commuter airplanes dropped to 21 in 1992, from 77 a year earlier. Large scheduled commercial airlines, part 121 airlines, registered 4 fatal accidents and 33 fatalities in 1992, compared to the same number of fatal accidents and 50 deaths the year before. The 33 fatalities represent the lowest number of deaths since 1986, when 5 persons died in that category. I would just caution what we all know about statistics, the fact that 5 died in 1986 had nothing to do with the substantial numbers who have died in subsequent years. It is very hard to determine trend lines in aviation accidents, as you know, without looking at a broad spectrum of years in some detail of the types of accidents involved. In general aviation last year, there were 408 fatal accidents and 812 fatalities, that compares with about the same number, 414 fatal accidents and 746 deaths in the prior year.

On the down side, calendar year 1992 represented only the fourth time in the history of the Board that we were unable to conclusively determine the probable cause of a large air carrier accident. This is in spite of an exhaustive 20-month long investigation into the crash of a United Airlines Boeing 737 aircraft near Colorado Springs. We could not come up with a probable cause determination. The accident represents some of the increasing complexity of our investigations. It also represents some of the limits of high technology, that in spite of the technology we were still unable to resolve that accident.

In addition to our primary role in the investigation of domestic aviation accidents, our work increasingly involves participation in investigations of incidents and accidents in other countries. A great deal of this is due to the exponential expansion of aviation abroad.

Statistics compiled by ICAO, the International Civil Aviation Organization, show that traffic doubled in the past decade. Projections are that this traffic will double again by the year 2001. If the

current accident rate remains the same, or even decreases slightly, this increase in volume means that we will have a commensurate increase in accidents. So we have to do better in terms of safety rates in order to stay even with the number of accidents that we have. Also because of our role under international treaties as the sole accredited United States representative in foreign accidents, our involvement in foreign accidents has increased very substantially over the past year and we anticipate that will continue to be a major part of our activity.

Last year alone, we participated in 60 investigations involving foreign countries. So far this year, we have sent teams to China and Guatemala, as well as all over the United States, including twice to Alaska. We had six major accidents from March 31 through the end of April.

The Safety Board also, as you know, performs in-depth analyses of selected surface transportation accidents. These involve accidents as diverse as railroad grade crossing, inter-city and school bus accidents, multiple vehicle collisions on highways, and all forms of transportation on the surface when we believe the accident justifies our involvement.

Recently, the Board called on all States to tighten and vigorously enforce their young driver licensing and under-age drinking and driving laws. Young drivers age 20 and under are over-represented in traffic accidents and deaths. In fact, according to NHTSA figures, this group represents 7.1 percent of the licensed drivers and accounts for 14.9 percent of all driver fatalities. On the basis of automobile crashes per 100,000 licensed drivers, young drivers are the highest risk category.

The Safety Board is also leading the investigation into the cause of last month's pipeline rupture in northern Virginia, which is familiar to all of us in Washington. This accident resulted in the release of about 400,000 gallons of diesel oil into a tributary that flows into the Potomac River immediately upstream of a county water intake facility.

The Safety Board is requesting authorization levels of $37.125 million and 348 Full Time Equivalents (FTEs) for fiscal year 1994, $44 million and 384 FTEs for fiscal year 1995, and $45.1 million and 384 FTEs for fiscal year 1996.

Our authorization request for 1994 is consistent with our congressional appropriations request. The fiscal year 1994 request represents an increase for uncontrollable expenses and a decrease of 9 FTEs from our fiscal year 1993 appropriations—33 FTEs below our current authorization of 381. The 1998 request reflects the first phase of the 4 percent across-the-board personnel reduction proposed by the President. If approved by Congress, the reductions will be applied across all Safety Board divisions. Technical and investigative positions, as well as administrative positions, will be affected.

The staffing level we have requested for fiscal years 1995 and 1996 includes 3 FTE positions more than our current authorized level of 381. The 3 positions are needed to fulfill new authority which we received for the adjudication and review of FAA l penalty assessments for pilots, flight officers, mechanics, and repairmen.

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The Safety Board is well aware of the budget constraints facing the Congress and recognizes that some funding reductions will be done. I would like to assure you Mr. Chairman, that regardless of our ultimate authorization and our FTE level, we will continue to operate 24 hours a day, 7 days a week, 12 months a year in order to investigate transportation accidents. No matter what our funding and no matter what our FTEs, I reiterate, we will continue to accomplish our mission.

We thank you for this opportunity and I would be delighted to take your questions.

Mr. OBERSTAR. Thank you very much for that brief and to the point presentation and I will have some questions. The first of which is, the positions that the Board is scheduled to lose in fiscal year 1994 would have the effect of reducing the number of safety recommendations issued in the coming year from 385 to 345. And, yet, all the other responsibilities of the Board really are scheduled to increase. You have more work under the civil penalties program and, while we have had a safe year, we can't count on having safe years. There is also anticipatory work that the Board does; it doesn't just wait for accidents to happen, it looks ahead and does some long-range research, advance planning, thinking about safety issues. What is this nine position reduction going to do? Where is it going to come from?

Mr. VOGT. As you noted in your remarks, Mr. Chairman, it is our anticipation that we will absorb these reductions through attrition. The Board's experience with reductions in force was devastating to morale. We plan to avoid RIFs if we can. Our present attrition rate is running about 9 percent, down from 11 percent in past years.

I spent a number of years in the Marine Corps and I am going to march forward with this group with whatever resources you provide. But to tell you that we can do the same job with fewer people and less money would just not be honest. We can't. And so for every dollar that goes, there is a price to be paid and the ability to do our job is going to be affected. It is very difficult for me to quantify just how. What I pledge is that we will still send out our Go Teams and we will investigate accidents. Where we think we're going to feel the pinch the most is in the quality and the timeliness of our reports.

A couple of cases in point. From March 31 through the end of April, we sent out five Go Teams to major aviation accidents. If another one had happened last week, I am not sure what we would have done in terms of being able to send out a group. To cite statistics as going up or down is to beg the question on being able to respond. We know that there are going to be more aviation accidents in the future simply because the volume of traffic is going to increase. The Third World is buying our airplanes, anbd we're going to be involved in those accident investigations as well as in our domestic ones. So we know our volume is going to go up. If we have fewer resources, we are going to be limited.

Between July and December of 1991, we had six major railway accidents. It has taken us over two years to get those reports out and we still don't have all of them finished because we were just thoroughly submerged with dealing with those accidents. Accidents come and go like that, and we need to react to them.

In the meantime, what suffers is our training, our safety studies programs, and, most importantly, the morale and our ability to retain our most important asset—which is the calibre of our people. We are staffed with dedicated, very competent technicians and safety investigators. Our ability to function at the highest level, which I think this Board is justifiably proud of doing, depends on retaining and training our staff.

Mr. OBERSTAR. That is so true. I remember the famous words of Jay Lynn Helms in the early 1980s, when he said "We can do more with less at the FAA". And so he had fewer inspectors and, consequently, we had a number of problems in the aviation sector with aircraft that weren't being inspected properly, incidents resulting from that failure to inspect.

It takes a long time to build the expertise, to build the morale of an organization, and to develop what they call institutional memory, the ability to learn from one accident and apply it to the next or to learn accidents from the past and apply them to preventive steps to be taken. It takes time to develop that and you lose that kind of expertise and you don't build it back overnight.

Mr. VOGT. And if you lose one of those experienced people, you have lost that accumulated institutional memory and expertise. That talent is just irreplaceable until someone of equal competence has that much time to gain Safety Board experience.

Mr. OBERSTAR. Why has OMB given you a number of bodies to be reduced rather than a dollar amount of reduction?

Mr. VOGT. Well, I don't have the answer. These were the instructions we received. It is my understanding that the direction in which the President and the Administration are moving is reduction in numbers of individuals.

Mr. OBERSTAR. To meet the President's stated goal of reducing Government by 100,000 people. So you fire 100,000 janitors, you don't save a whole lot of money; if you fire GS–16s or –17s or –18s, you save maybe a lot of money.

Mr. VOGT. Well, 80 percent of our budget is salary. We are very labor-intensive, as they say. As we were discussing earlier, what we have to offer is our expertise. And while we have some very sophisticated laboratory equipment, we rely really on our people. And that is where the money is in our agency.

Mr. OBERSTAR. The Board expects to achieve the reduction of those nine positions through attrition, and you've said it is roughly about 9 percent now?

Mr. VOGT. About 9 percent, yes sir.

Mr. OBERSTAR. Would take about one more fiscal year to achieve that?

Mr. VOGT. We are going to be pressed to do that. We are at about 362 people now, so to get down to that 348, we're going to be pressed to do that. Because we want to do it through attrition, it is going to be a matter of not knowing where those losses are going to be. We have some fairly good ideas, through retirements and things like that, but you just can't be sure. So we have got a fairly substantial reduction over this next year to achieve. As I said earlier, to say that is not going to affect our mission would simply be to beg the issue.

Mr. OBERSTAR. In 1980, the Board had 401 positions. This is 1993, you are considerably below that number. I don't know how you can take further cuts and still have staff available to leave at 2:00 or 3:00 in the morning, 10:00 or 11:00 at night, on a moment's notice to go to a scene of an accident and undertake the investigation.

Mr. VOGT. As you know, Mr. Chairman, the Board has been working with you and your committee to get up to the authorization level of 381 FTEs which was set in 1990. What we are requesting for FY 1995 and 1996 is that same level plus, three for the new authority we have in the legal area. So basically, we still believe that is the level at which we can operate most effectively. Just in this past month, one of our teams, as a matter of fact, at the MU–2 accident which you discussed earlier, left at 3:00 in the morning to arrive on site at the first light of day. At that point in time, we had four other Go Teams scattered around the country and that was the extent of our resources at that particular point.

Mr. OBERSTAR. Well, I know you can't do more with less. We're not going to ask you to do less, and the Board has never goldplated its numbers over all the years that I have ever been involved. You are not doing that now. I'll come back to this on our second round of questioning. My time has expired.

I recognize the gentleman from Pennsylvania, Mr. Clinger.

Mr. CLINGER. Thank you, Mr. Chairman.

Thank you, Mr. Vogt, for a very excellent statement. Just following up on the Chairman's question there. Have you ever had a situation where you really have not been able to send a team out, where you have been so over-extended in the past? Or is this the closet you have come to that?

Mr. VOGT. I believe we have never not sent a team out, but we have had scramble for the team. In our rail division, for example, we had the division manager involved doing mechanical studies on the team, which he is very competent to do, but that is not his normal role. So I don't think we've come into a situation where we have not sent a team out, and we won't let that happen. We will find people to send out but it is going to affect our ability to do the job right.

Mr. CLINGER. It will be tougher. And, as you have indicated, we anticipate that we're going to see additional growth in aviation, additional flights and probably more accidents, although hopefully we won't have more accidents.

Mr. VOGT. Hopefully not.

Mr. CLINGER. We are talking here of reauthorization of the statute for the NTSB. Do you have any suggested changes, additions? Should we just reauthorize the agency as it exists? Are there any suggested changes you would like to see made?

Mr. VOGT. I think, Mr. Clinger, that we're in good shape organizationally right now. As you know, there was a reorganization of the Board a couple of years ago and we have done some fine tuning. But as a general proposition, I think it is working quite well and I am not interested in fixing something that isn't broken. This agency is running smoothly at this point. That is not to say that we might not want to do some additional fine tuning, but I think we're well structured right now.

Mr. CLINGER. So you don't have any recommendations?

Mr. VOGT. No, sir. We would just like to have an authorization level we can work toward and the funding to make it work.

Mr. CLINGER. I think you noted that you have assumed additional responsibilities for investigation of foreign accidents.

Mr. VOGT. Yes, sir.

Mr. CLINGER. Which accidents do you investigate? What is the criteria for your undertaking?

Mr. VOGT. Under the annex 13 of the ICAO treaties, we are the American U.S. representative on foreign accidents involving U.S. manufactured aircraft or engines or operated by our carriers. So the interests of U.S. domestic manufacturers come under our auspices in these investigations automatically, and we're involved as participants. The Chinese invited us recently to participate in two accidents beyond just our party status. One in Mainland China involving a Boeing 737 that crashed within the last six or eight months. Within the last month, a China Eastern MD–11 lost altitude, which we now believe may have been due to an uncommanded deployment of leading edge devices or an inadvertently commanded deployment over the Aleutian Islands. We were asked to come and investigate that accident.

We also are involved through our laboratories in the handling of flight data recorders and cockpit voice recorders. And we are asked to participate in that area rather extensively in international accidents. We also are working——

Mr. CLINGER. Involving aircraft other than U.S. manufactured?

Mr. VOGT. Not that I know of at this point.

I might say as an aside, although it doesn't involve foreign aircraft, about 8,000 more cockpit voice recorders are required to be installed on domestic aircraft. So we are anticipating an increase of CVRs to read out. CVRs are now more complex and more comprehensive so we have developed new software to assist us.

We are working assiduously to develop relationships particularly in China and Russia. China is estimated by our domestic manufacturers to be the single largest emerging market for their products. We have found particularly in the developing world, that relationships with the people involved in investigations is extremely important. I think we're on sound footing with the Russians, as you know. We can overfly Siberia now.

Mr. CLINGER. In both of those situations, is it true that neither China nor Russia has the kind of expertise to undertake the sorts of investigation that you do?

Mr. VOGT. That is clearly the case with the Chinese. I know certainly the Russians and the Chinese are very anxious to work with us to raise their level of expertise. But as the Chairman pointed out, that takes a lot of time and they are a generation away from coming close to what we can do.

Mr. CLINGER. Given the fact that it is obviously a fairly expensive item for the Board to undertake these investigations far afield, should we look toward the inviter, that is, the inviter that invites you in to look at these, for compensation?

Mr. VOGT. We don't. As the Chairman pointed out, a lot of our value is in our independent status. If we start doing work on a con-

tract basis, then we become a contractor to whoever is paying our way. I don't believe that is consistent with our independent status.

Our involvement in these foreign accidents also is under our obligations under international treaties when it involves our manufacturers and our carriers. If an Airbus with Rolls Royce engines crashes, we probably won't get involved unless the country asks us to come in like Nepal asked the Canadians to come in and investigate accidents in their country.

Mr. CLINGER. What countries do have comparable groups such as the NTSB?

Mr. VOGT. Well, I will step back from opining as to whether they are comparable or not. But the others in western Europe that do the kind of work we do and do it quite well are the English, the French, and the Germans. We are working closely now with the Dutch because of the El Al crash. But it has in large part to do with size. There is probably no place in the world right now, other than China and Russia, which represent an internal aviation market like the United States. We have 60 percent of the world's air traffic within the borders of the United States. No country has that volume of major aviation work. You look at a country like Germany or France, which are I suppose in each case smaller than my home State of Texas, and a lot of their aviation is international. So in regard to us, they have relatively small domestic aviation structures. The Canadians, I must say, have an excellent safety board.

It is really a matter of devoting resources in proportion to the need and we are way ahead of anybody else in those categories. There is very competent work being done internationally but I think the size and scope and degree of expertise that we have is probably somewhat unique in the world.

Mr. CLINGER. It just seems to me that if we're going to be in the position of having to investigate every accident involving a U.S. manufactured plane or engine, we're going to be assuming an ever-larger burden of work.

Mr. VOGT. My personal prediction as I look ahead for the next ten years is that we're going to have teams abroad increasingly to match in volume and degree of involvement to what we do domestically and it will be at much greater expense.

Mr. OBERSTAR. The gentleman's time has expired.

Mr. COPPERSMITH. No questions.

Mr. OBERSTAR. Mr. Levy.

Mr. LEVY. I would just like to pick up on a theme that Mr. Clinger mentioned before, especially in light of your comment that you're going to be spending more and more time out of the country doing investigations. I am not sure that I understand the risk that comes with charging those countries where we do those investigations when we don't come in under obligation of a treaty, when we go in as an invitee of the foreign government.

Mr. VOGT. I am not sure that we've ever been called in where American equipment was not involved or an American carrier was not involved.

Mr. LAYNOR. We have——

Mr. OBERSTAR. Will you have your staff person identify himself.

Mr. VOGT. This is Bud Laynor. He is our deputy director of aviation safety. Bud, come on up here. We'll get you into this.

Mr. LAYNOR. The Safety Board has an obligation to determine the cause of accidents involving airplanes made out of the country if U.S. carriers are flying these airplanes domestically and we can encounter similar problems. For example, the Airbus airplane, A–300s, A–310s, A–320s, and such, if there is a problem involving an Airbus industry airplane, our carriers that are flying those aircraft are interested in determining the cause and we will participate to determine whether there are airworthiness issues or operational procedures that need to be examined by U.S. operators of those airplanes.

We will also participate in one recent accident where a U.S. interest happened to be the developer of approach charts. The approach chart was potentially contentious in the accident investigation and so we will have an accredited representative. Although we haven't traveled on the accident, we very well may.

Mr. LEVY. Are there situations where we become involved in investigations, I guess is what I am asking, where we are not bound to?

Mr. LAYNOR. By ICAO treaty, we may not be bound. We might be invited, and we are often invited by the U.S. embassy in the country of interest for political reasons within the country. We have some obligation, as I mentioned, to determine cause if we're flying those airplanes even though they are not U.S. manufactured airplanes.

Mr. VOGT. I think it is fair to say, Mr. Levy, that our involvement in those kinds of accidents is not a major financial commitment on our part, at least at this point. Just participating in the investigation abroad of accidents involving U.S. carriers, U.S. manufactured equipment, either aircraft or engines, is the basis upon which I was making my projection. To the extent that we're invited in when neither our carriers nor our equipment are involved, that would be additional but I don't think it is going to be a major commitment on our part.

Mr. LEVY. Let me shift gears to just one other area. Recognizing the desirability of making the personnel cuts through attrition wherever that is possible, my understanding from some of the materials that we were given is that the surface transportation area will take a disproportionate hit, as it were, in terms of the number of people who will be leaving and that you are trying to make up your obligations under the OMB directives by allowing those people to leave. I am just wondering if the Board is not leaving itself vulnerable in that particular area by not having enough people in the surface transportation investigation area to be able to respond to those types of emergencies.

Mr. VOGT. Let me say that the information which you received is our budget material and because of the strange world in which budget people and accountants live, when we say that we're going to reduce FTEs by attrition, we have to identify them someplace. So that is not a projection of where people are going to be leaving but it is simply a way of translating the reduction in FTEs into our function categories. What we don't know is where the reductions will come from because they will be a result of attrition over which we have no direct control. So that material may be a bit misleading

and I apologize for that. That should not indicate our plan or our interest to decrease FTEs in any particular place at all.

Mr. LEVY. I appreciate your clarifying that. Thank you, Mr. Chairman.

Mr. OBERSTAR. Mr. Kim.

Mr. KIM. Thank you, Mr. Chairman.

I know that you have an excellent reputation worldwide. There is no question about your competency. There are very few Federal agencies that have that kind of fine reputation, by the way. Most of them say we have too much work and not enough people.

I would like to ask two questions. One is, according to your statement, you said 90 percent of all transportation accidents has been highway-related accidents; yet, you only budgeted 14 percent of your staff for highway accident related experiences. I wonder why such disproportionate allocation?

The second question is referring back to my earlier statement about asking for 36 additional staff members in 1995. Your own report shows that adding more staff really has no relationship with the number of reports you have generated. And it has no relationship with how quickly you can generate the reports. In 1982, you had 360 people but only 48 reports were issued with an average time of 9.5 months. In 1992, you had 357 people and only 18 reports issued, which means about an average time of 15 months. Again, that is an example of the relationship that isn't there.

The last comment I have is for every situation you have to meet certain deadlines, my suggestion is why not hire outside private enterprises to make up the differences?

Anyway, would you please respond to those two questions I have mentioned.

Mr. VOGT. Sure. Let me take your first question, first, on the surface versus aviation. There are about 40,000 deaths per year on our highways and substantially less than 2,000 in both general and scheduled airlines per annum. There are two parts to the answer to your question. First, we are obligated under law to investigate every aviation accident in the United States. So we must investigate those accidents which accounts for the allocation of substantial amounts of our resources to that undertaking. About 65 percent of our budget goes to aviation and which is where we have our most people. But that is the law we live with. The statute allows us to investigate on a selected basis, surface transportation accidents that have broad implications for safety. And that is what we do.

Now consider surface transportation. Most surface accidents are subject to local and State jurisdiction for traffic enforcement, investigation, and so forth. So when we select a series of accidents or an accident, it is because of the broad implications. But that does not suggest that surface accidents are not investigated. The accidents that occur on our highways every year that result in some 40,000 people being killed are investigated by State and local jurisdictions and authorities.

With the number of automobiles in our country today there are millions of individual decisions made every day about driving. Half of the accidents, 20,000 of those 40,000, will have alcohol involvement. Another very high percentage of those will involve young

drivers under 25 years of age, and a very high combination of those percentages will occur on Saturday night with drivers who are 16 to 20 years of age. Whereas, a Boeing 747 with 400 people a board is a totally federally-regulated environment. The pilots are federally-licensed, the aircraft is federally-certified, it is operating in a Federal air traffic control system. But each of those passengers has absolutely no control over his or her fate on that particular flight. But each person who drives an automobile is driving that automobile according to his or her own needs and interests. By far the dominant factor in automobile accidents is driver involvement either through negligence, carelessness, or, as I said earlier, deciding to drink and drive.

So I think the Congress, in its wisdom when structuring the statute under which we operate, assigned us the primary responsibility for aviation where we can have the greatest impact on the greatest number of people who have no control over their safety from point A to point B, and left to the States and other jurisdictions the primary responsibility for surface investigations. This goes also to marine investigations. Primary responsibility in many aspects rests with the Coast Guard. The same is true in other modes of transportation, rail in particular, where each year we have accidents and fatalities but not of the magnitude that occurs on the highways.

As to your second question, our request for 381 FTEs was our authorization level adopted in 1990. It is our opinion that 381 FTEs is the optimum staffing level needed for this agency given its current mission. There is trouble with trying to correlate accident frequencies with our staffing and funding level. For example, look at the year you mentioned, 1982. We had 40 reports that year and last year we had 16. But if you put one of those 40 reports down alongside one of ours in last year, you will see that there is little resemblance. We are now turning out reports of 100-plus pages, where then we had some with 20 pages. They would be what we now call summary reports. They were not near the detail, they did not involve the type of research and investigation and writing that is required now. Since 1982, and it has only been ten years, the complexity of aviation investigations, for example, has increased enormously. We couldn't do reports like we did in 1982 now and produce a product that would be useful to the safety community.

If you look at the numbers of accidents in 1982, you would find—and I am doing this from memory—that surface highway accidents and fatalities were probably up close to 50,000 fatalities. In 1984, there were four fatalities in commercial aviation. We know that the fact that there were four that year had nothing to do with our funding or the funding of the FAA in that particular year. If memory serves me, in the very next year we had 526 people killed in large air carrier accidents. So to correlate funding in any given year with accident rates gives a false impression. It just doesn't work that way in our business and we have to look at long-term trend lines.

What we are asking for in this authorization is to meet the job we know we have to do over the next 36 months. Just staying even, we are going to have to spend more money. If you look at this year, it takes more money to fund fewer people in 1994 than it did in 1993. We have 357 FTEs in 1993 and $36 million in funding. In

order to fund 348 in 1994, we think we're going to receive $37.125 million. So if you apply even a 2.6 percent inflation factor, which we do, you are looking at about $305,000 a year, plus increases in pay, increased contributions to the Federal Employment Retirement System and a whole host of things that go on throughout the Federal establishment in terms of increased costs.

So what we are asking for is to keep even with where we have been in terms of our authorization and to have the funds to stay even with the job that we have to do. All we can see ahead is more demand on our resources and we would hope in the long-term that would have a beneficial impact on accident rates. And Mr. Kim, I would hope in the long-run we could put ourselves out of business, but I am afraid that is not going to happen. I would suggest to you that the more money you spend now, the better results you are going to have in the future, rather than correlating improving safety to the need for lesser expenditures.

Mr. OBERSTAR. The gentleman's time has expired.

Chair Mineta.

The CHAIR. Thank you very much.

Mr. Chairman, let me apologize for not having been here. We just got through with seven bills from the Public Works and Transportation Committee on the House floor, so I apologize for not being here during your testimony.

One of the complaints that we have had consistently in the past from the Board—and I can't think of an agency that we get more pounds or miles of work from than the NTSB given your budget, your staffing strength. But one of the problems we used to always hear from the Board was, "Is anybody listening, does anybody care?" There were many times when you would come up with recommendations to the different agencies as a result of your investigation. Have you found much better responsiveness to the recommendations from the NTSB?

Mr. VOGT. I am pleased to be able to say that I believe we are. My institutional memory is no where as long as yours on this subject, but I have gone back and reviewed our past history with the various modal administrations to whom we make recommendations. As we were talking earlier, a 80-plus percent acceptance rate from the FAA and over 90 percent on urgent recommendations is something that we feel positive about. We would like to see it higher but we know that reality being what it is, that this is a fairly constructive ratio.

Our working relationship with all modes right now is probably by all accounts better than it ever has been. We had a particular problem with the Coast Guard, quite frankly, and I think some fairly substantial differences of opinion between the NTSB and the Coast Guard about some aspects of maritime investigations. I think we have made substantial progress in that regard. We are now meeting regularly with the Coast Guard; we have commitments from them and they have from us, to work together. I am very hopeful that we have seen the end of those differences which resulted in our inability and our frustration to become involved in some maritime accidents. I think that bears testament to the good will of the Coast Guard, to our staff, and to the mutual interests in serving the marine community.

In our other modes, we have for the last two or three years I think had excellent relationships. In rail we're still not satisfied with the degree of compliance with our recommendations. We are working with them and we're anxious, as everyone is, to see some new modal administrators in place so that we can work at that level as well.

But I think on balance, Mr. Chairman, we are on positive footing across the board. I will be the first to tell you when I don't think that's the case.

The CHAIR. You are absolutely right about modal administrators. I think when we write letters we write "Dear Occupant". [Laughter.]

Mr. VOGT. I was hoping you might tell us something today.

The CHAIR. Focusing on the Coast Guard, not to pick on them, but what would you say is the longest outstanding recommendation that still has not been accepted? Do you have any idea what that might be?

Mr. VOGT. Let me ask George Reagle. George is the head of our surface transportation division.

Mr. OBERSTAR. Identify yourself please for the record.

Mr. REAGLE. I am not sure what the oldest might be, Mr. Chairman, but in the whole passenger safety area we have been very concerned with what actions or lack of actions taken. One issue that sticks in my mind is just having a common language among all the crew on a passenger vessel. I think fire-fighting and survival factor issues on passenger vessels have been a long-standing issue with the Board. With respect to fire-fighting we have made a lot of progress, with respect to common language we have not.

The CHAIR. With the increase in the number of passenger cruise lines now being constructed in various ports and with that part of the travel industry growing at an increasing rate, as our Chair of the Tourism Caucus so well knows, I would assume that would be a big concern and I would hope you would keep the feet of the Coast Guard to the fire on that issue.

Mr. REAGLE. As our Chairman just mentioned, I think in the past three months we have made substantial progress with the Coast Guard. I think together we can move down the road and tackle those kinds of issues through the International Maritime Organization.

The CHAIR. Thank you, Mr. Reagle.

Mr. Chairman, any other mode that you might consider? The 80 percent isn't that high but, again, I just wonder if it is 80 percent in terms of recommendations being adopted. Someone may say the simple ones are easy to do, it is tough ones that take longer.

Mr. VOGT. I don't know that we've done an analysis on the real tough ones except for our urgent recommendations which we consider a priority.

The CHAIR. Even the urgent ones, you have only about 80 percent?

Mr. VOGT. No, in the urgent ones we're about 91 percent.

The CHAIR. I see. Okay.

Mr. VOGT. Of course, we have our "Most Wanted" list where we have selective matters there for each of the modes. We track our progress on those. I think that with our relationship with the Coast

Guard coming into the frame that it is in now and our relationship with the FAA being what it is, aside from selective frustrations, I think we feel very positive about the directions we're moving. The FRA is still an area that we think needs a lot of improvement and we're looking forward there to a new administrator to deal with. We had very good relationships with Gill Carmichael and his group.

I am hopeful that when we come back that we will see, and I am confident that we will, some changes in our timeliness of reports unless our staffing gets to the point and our workload goes up to the point that we simply can't maintain it. But now I think we are organized in a way that is going to stand us in good stead for some time to come.

The CHAIR. Let me just very quickly then ask one more question. Given all the modes that you are dealing with including pipelines, are there any trends that you are seeing? A lot of times you see a number of accidents going up or fatalities going up, whatever the measure might be, it is also because maybe there isn't enough education being done in that field or lax enforcement or whatever it is. Do you see any trend lines in the accidents that are occurring that may require to us to sort of focus on some thing?

Mr. VOGT. The general trend lines, as we were discussing earlier, are fairly positive. But, for example, we did a study on recreational boating and those trend lines are very disturbing.

The CHAIR. That was as a result of all those sports figures, the ballplayers who——

Mr. VOGT. Well, that happened to coincide with the issuance of our report and it was a terrible example of what we were talking about with the involvement of alcohol in boating. We found in our study that of the fatalities that were subjected to toxicological testing 75 percent showed alcohol involvement. No more than 22 percent of the first-time boaters in the country have had formal training. It is probably much less than that, somewhere between 7 and 22 percent. So we found some disturbing trends in areas like that we think need to be addressed.

In general aviation, the trend has been down due in large part, we suspect, to the recession. We know that there was a decrease in the number of airplanes flying. Whether or not as the economy picks up that will continue is a question. We know airplanes are getting older and the manufacturers are not building many new general aviation aircraft. So the trend line in terms of aging aircraft and the general aviation community is of concern to us.

There are a lot of areas that come up like that. But as a general proposition, I think in scheduled transportation we are pleased.

The CHAIR. Let me thank you, Mr. Chairman, for your stewardship of the agency. I would like to have you extend to everyone there at the Board our thanks for the great job that they are doing.

Mr. VOGT. Well, thank you. And I would certainly like to include you in the thanks which I voiced earlier for the support which we've always received from this committee.

The CHAIR. Thank you very much. Thank you, Mr. Chairman.

Mr. OBERSTAR. Mr. Mica.

Mr. MICA. Thank you.

Mr. Chairman, a couple of questions to follow up on Chairman Mineta and also Mr. Levy asked a question about some of the cost in some of this. I had a chance to look at your budget and I am kind of concerned that nobody may be listening to what you are doing and also that the mistakes are sort of paid for by the taxpayer as reflected in the budget that we're about to approve here. For example, in this report, and the Chairman of the subcommittee also referred to it, the Mitsubishi accident, it sounds like that is sort of a recurring theme, that we have sort of been doing the investigative work for Mitsubishi Corporation on their aircraft. Another one cited in here is Embraer where Senator Tower and his daughter and other people were killed. I am not a rocket scientist or aviation Ph.D., and we'll soon have that program I hope at Embry-Riddle University in my district——

[Laughter.]

Mr. COPPERSMITH. With a satellite program in my district. [Laughter.]

Mr. MICA. That's right; we're going to be working together.

Mr. VOGT. And I'd be delighted to come down and visit it.

Mr. MICA. Thank you. But these people are costing us a fortune in these studies and the accidents seem to be reoccurring. Isn't there any way to recoup the cost of this and help—I don't want to say underwrite it, but maybe have some charged fee or fine to get their attention. I look at these things and see the impact, and I am not as concerned about the foreign situations but our domestic operations, the taxpayer is absorbing all of this cost. Is there any possibility of a mechanism for recouping this?

Mr. VOGT. I think, Congressman, as far as recouping the costs of our investigations, probably not because we need to be independent. If you start thinking about the investigatee paying for the investigation, it might give us some problems. That, of course, is for the Congress to decide, but my own view is that we prefer to retain our independent status. I would point out in the two accidents which you mention which illustrate the complexity of the whole subject, in that EMB–120 crash in which Senator Tower was killed, it was a Hamilton Standard model propeller system which was found to have malfunctioned and caused the crash. In the recent MU–2 crash, and there have been previous MU–2 accidents, we're talking about a Hartzell propeller that may have malfunctioned. So to identify in any given accident a source for the funding is difficult. Investigations usually involve so many different factors it would be very difficult I think to do that.

Mr. MICA. Well, if you have a specific cause of an accident, it seems like there should be some specific opportunity to recoup some of those costs, otherwise the taxpayers are paying for some of this.

The other point is—and I don't want to take away from anything you do or the accolades that have been thrown your way, but some of the studies are pretty elementary, the studies on highway fatalities, young people are driving more. I have seen similar statistics out of the Federal Highway Administration. Truckers, there is another report in here about truckers—alcohol and fatigue. I have seen that for years. Again, the Chairman said that you may be studying this stuff, and that's fine, I am wondering if some of those

things aren't duplicative and also costly and then not going anywhere.

Mr. OBERSTAR. If the gentleman would yield.

Mr. MICA. Yes.

Mr. OBERSTAR. One way of approaching that issue, and this is something that Mr. Clinger and I explored years back when we worked together on the Investigations and Oversight Subcommittee, is to enact legislation that requires Board recommendations to be implemented in some fashion.

Mr. MICA. That sounds very interesting. It might be something for the subcommittee to look at.

Mr. OBERSTAR. Putting some teeth into the recommendations. The Board should not be an inoperative agency. It should be an investigative and recommendatory agencies to retain its independence. That's one of the reasons I objected to its having a role in the civil penalty appeals process. However, its recommendations though are submitted to operative agencies and we have to put some teeth into those recommendations where we find a pattern of failure to do so.

Mr. MICA. Well, Mr. Chairman and ranking member, I would be glad to support you in any legislative effort in that direction. Thank you. Thank you, sir.

Mr. OBERSTAR. Mr. Horn.

Mr. HORN. Thank you, Mr. Chairman.

I add to the commendations for your agency. As a frequent flier, we all depend on you to improve that federally-protected environment and I know it comes under great hardship many times. Just for the record, I remember years ago there was sort of an accident-per-passenger-mile figure that came out and I wonder if your agency would be able to update it for the committee and just file something at this point in the record where we look at commercial air, general aviation, the maritime situation with the private boater versus the commercial cruise, let's say, maybe even freighter if there is any difference, the automobile situation, and the trucks. If there were some way to get those figures and we had some sort of comparison of safety, I think that might be helpful and I suspect air comes out at the top of the heap in that.

Mr. VOGT. We will certainly provide what we have for that. I was recently told you can take a scheduled part 121 airline carrier flight every day for 4,000 years before you will become involved in a fatal accident and then you will have a 50–50 chance of surviving. Now that statistic doesn't mean anything if——

Mr. HORN. I'm not looking forward to testing it. [Laughter.]

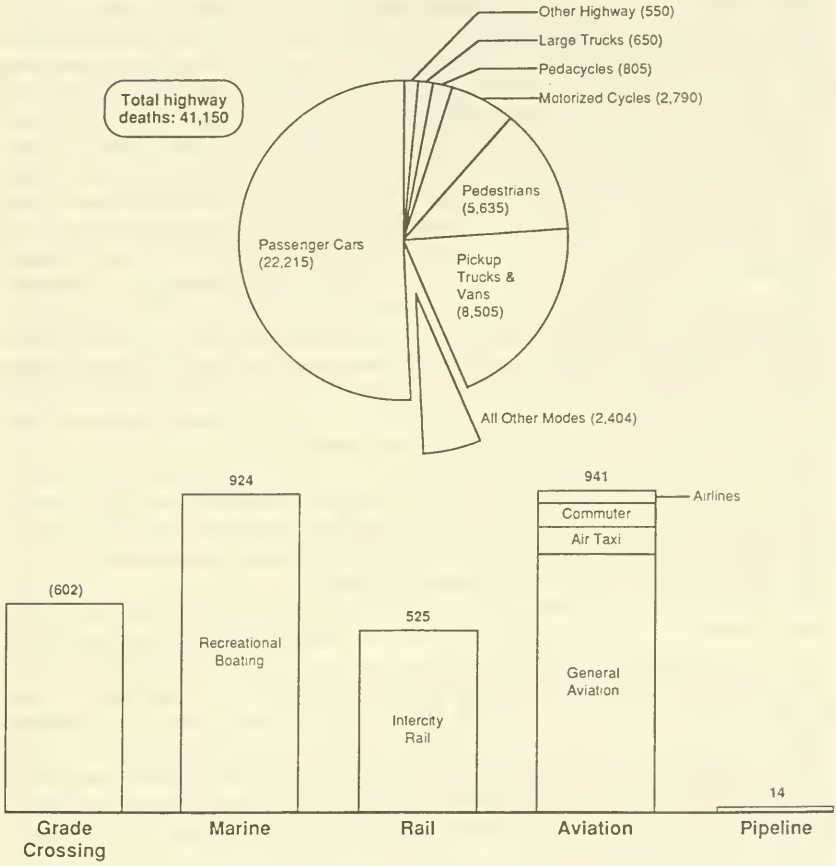
Mr. VOGT. Yes, if you happen to be the exception.

[The information received from Mr. Vogt follows:]

The Safety Board does not have per mile accident figures for all transportation modes. However, we do issue fatality figures for all transportation modes and below are the most recent figures.

National Transportation Safety Board
Washington, D.C. 20594

43,554 Transportation Fatalities in 1991



Notes: (1) All figures are preliminary estimates;
(2) Grade crossing fatalities were counted in rail and highway categories;
(3) The Federal Transit Administration did not provide rail rapid transit data; and
(4) The U.S. Coast Guard was unable to provide a complete estimate of 1991 fatalities.

Mr. HORN. Mr. Kim mentioned the surface transportation aspects, and we have the National Highway Traffic Safety Administration. What is the relationship between that particular administration on highway safety and any investigation of accidents in your Board? Is there any duplication? How do you feel about it?

Mr. VOGT. There is no duplication. They, of course, have primary responsibility for safety in passenger vehicles. The investigation of surface accidents, take for example passenger vehicles, is a primary responsibility of State and local authorities. We look for opportunities where we think the implications are broad to conduct our own investigations. We do not supplant the local authorities and their investigation. But we take that information and make recommendations if we think it warrants. For example, there have been a series of fog-related accidents involving multiple vehicles. We investigated several of those and made recommendations to State authorities about some things they could do. We have made numerous recommendations about passenger restraint systems. And we just took taking off of our "Most Wanted" list a recommendation to NHTSA and to the industry to have adjustable upper levels on restraint harnesses because we found a very direct safety implication. We are in the process of removing that because it has been complied with substantially. So we make recommendations all across the modes and all across NHTSA's jurisdiction but we don't have a duplicative effort.

Mr. HORN. One last question. I have a standing order for 30 years to put me in the back of the plane on the aisle. Based on your studies over the years, am I right or wrong? [Laughter.]

Mr. VOGT. I have got a similar suspicion——

Mr. HORN. And where do you ask to sit? [Laughter.]

Mr. VOGT. I am not going to tell you where I sit. But I can tell you it doesn't make any difference.

Mr. HORN. Really? In other words, the old story that you're better off in the tail of the plane has proven scientifically not to be true?

Mr. VOGT. No, I wouldn't go that far, but I don't think anybody has ever identified a place in the airplane that is safer than some other place in a crash. It just depends on the nature of the accident.

Mr. HORN. How about being near the emergency door?

Mr. VOGT. Well, that can't hurt. [Laughter.]

Mr. HORN. I'm getting warm, is what you are saying.

Mr. VOGT. That's an unfortunate pun because I was just going to tell you that in several recent accidents, particularly the TWA L–1011 at New York's JFK International Airport 10 months ago, all the passengers got out. The aircraft went off the runway and caught fire. Because of the fire, some of the exits to the rear couldn't be used and so the forward exits were used. That also happened in Dallas just within the last month where a DC–10 went off the runway. Everybody got out but, because there had been evidence of fire, the rear exits were not used. Now I don't want to suggest to you that the rear exits are less safe than the others. It is hard to know where you ought to be in an airplane.

Mr. HORN. You mentioned that recent DC–10 accident. Now TWA in New York, as I recall everybody got out when the fire occurred there.

Mr. VOGT. Yes, sir.

Mr. HORN. Was that due to the improvements in the material within the cabin, or how do you explain that?

Mr. VOGT. That's a very good question. There have been some substantial improvements in the flammability and the flame resistance of materials used, and we have made recommendations along that line. There has been a lot of improvements in safety slides and the way passengers evacuate, although we find that elderly individuals still tend to get injured in those situations. I don't know specifically about that airplane, but I do know as a general proposition the flame retardancy of the materials has been much improved. Also, one of our recommendations that has now been adopted was that there be lighting along the floor of the passageways so that you can see your way to an exit.

Mr. HORN. One of the ways you preserve paintings in a museum when there is a fire is you have this suppression material. With the type of oxygen coming down, is there some way to combine the fact that you've got an oxygen mask and try to get the suppression to put the flames out?

Mr. VOGT. There has been investigation into that, but to my knowledge, not specifically targeted to aircraft. The problem is you have got to make sure everybody is on oxygen or they become asphyxiated. That's a very difficult proposition in an aircraft, particularly if it is on the ground where you could have ruptures with and outside air coming in. That kind of system would not be effective in that scenario.

Mr. OBERSTAR. Mr. Collins.

Mr. COLLINS. I don't have any questions, Mr. Chairman.

Mr. OBERSTAR. Let me pick up where Mr. Horn left off and your response on flame retardant materials. I have been concerned about the pace at which FAA is requiring airlines to comply with the change over flame retardant materials on board aircraft, which has been a very significant factor, as you just noted, in saving lives on crashes in which there are fires. Has the Board taken a look at the issue of flame retardant material, the conversion rate of aircraft to flame retardant foam and seat coverings?

Mr. VOGT. We have, and I don't know what it is right now, but it has to do in large part with retrofit and with newly manufactured aircraft. There are no dates by which older airplanes must be retrofitted with improved materials.

Mr. OBERSTAR. Until they do a D-check?

Mr. VOGT. Actually, there is no requirement to retrofit until there is a major refurbishment of the cabin. The Safety Board believes that after a specified date air carriers should be required to use fire retardant materials in all transport category airplane interiors.

Mr. OBERSTAR. I would be happy to see any work that the Board has done internally.

[The following was received from Mr. Vogt:]

The Safety Board's report on the ground collision at Los Angeles International Airport on February 1, 1991, stated that many of the 20 deceased passengers on USAir flight 1493 were found near the overwing exit. They did not proceed to another available exit in the rear of the airplane, perhaps because of smoke and limited visibility, and were overcome when the cabin fire intensified.

On December 3, 1993, the Safety Board recommended that the Federal Aviation Administration (FAA):

> Prohibit the use, after a specified date, of cabin materials in all transport category airplanes that do not comply with the improved fire safety standards contained in 14 CFR 25.853. (A-91-116)

On March 22, 1992, the FAA responded:

> The FAA has evaluated this safety issue and has determined that in the case of this accident it was unlikely that improved materials would have resulted in improved survivability. The release of on board gaseous oxygen for flightcrew use resulted in a fire more intense than the improved materials are designed to resist. Prior to the adoption of Amendments 25-61 and 121-89 in July 1986 to establish new flammability standards for large surface area interior components, the FAA considered adopting a mandatory retrofit program for all airplanes used in air carrier service. At that time, the FAA determined that it was not economically feasible to implement a mandatory requirement. The FAA did, however, believe that if an air carrier was economically committed to doing a substantially complete refurbishment program then the incremental cost of installing improved materials was deemed justifiable based on expected benefits. Consequently, Amendment 121-189 included a provision that if an aircraft is substantially refurbished it must be refurbished with the new materials.

In correspondence to the FAA dated April 8, 1993, the Safety Board classified A-91-116 as "Open--Unacceptable Response." The Safety Board stated:

> The Safety Board notes that prior to the adoption of Amendments 25-61 and 121-189 in July 1986, which established new flammability standards for large surface area interior components, the FAA considered adopting a mandatory retrofit program for all airplanes used in air carrier service, but determined such a program to be economically prohibitive. Additionally, Amendment 121-189 includes a provision that substantial refurbishing of an aircraft be done with materials meeting the new standards.

The Safety Board continues to believe that it is vitally important to passenger and crew safety that cabin materials in all transport category airplanes comply with the improved fire safety standards contained in 14 CFR 25.853. A specified date should be established, such as September 1, 1995, after which the replacement of

should be established, such as September 1, 1995, after which the replacement of any cabin materials in transport category airplanes should meet the improved fire safety standards. The Safety Board requested that the FAA reconsider its position on this safety recommendation and classifies it "Open--Unacceptable Response."

Mr. OBERSTAR. I have written the FAA about this matter, I am very concerned that they are not forcing airlines to move fast enough and being perhaps a little too responsive to airline concerns about costs. There are costs involved, they are substantial costs, no question about that, but you read those reports of on-board fires in the wake of an accident, people who have suffocated, those who have survived them and the misery they had in making their way through an aircraft with that thick viscus smoke, it certainly argues powerfully for a faster response.

Mr. VOGT. It does. It is very toxic, very poisonous, and results in fatalities as you know; particularly those that occur on the ground where there is a chance to survive.

Mr. OBERSTAR. Emergency floor path lighting, NTSB has been the primary entity pushing for that technology on board aircraft. But I lay claim to having first raised it in a hearing in 1975. It took a long while. Until I got to be Chairman of the Investigations and Oversight Subcommittee and called in Boeing one day and said, "By damn, if you can't figure a way to put that way to put that lighting system on board aircraft, I am going to take you down to Disney World and show you how to do it." [Laughter.]

The time between my first recommendation, perhaps made without fullness of knowledge, just a simple, practical thing it seemed to me, and the time between that recommendation and the date when the decision finally was made to go ahead, they developed a 737–300, the 757, the 767, and 747–400. If they could develop all those advanced technology aircraft, they sure as the dickens could find a way to put floor lighting in aircraft to get people out faster.

Mr. VOGT. Well, as the Chairman knows probably better than anybody, it is particularly frustrating when you find an accident where people survived the impact but died from smoke inhalation. You know that but for that smoke inhalation they could have gotten out of the aircraft. It is a terrible problem.

Mr. HORN. Mr. Chairman, I would just like to say on your idea there, you would think since the airlines have difficulty competing on price, that if some airline really took this seriously, said we're the first one to have a fleet with flame retardant materials all over, that is something that most of us would say let's fly that airline. Good advertising.

Mr. OBERSTAR. You would think so. Yet, I have not found such genius among leadership in the airline industry. [Laughter.]

Mr. OBERSTAR. In the wake of the Governor Mickelson tragedy, our former House colleague, now a member of the other body, introduced legislation to give the Board more authority to ensure that its safety recommendations would be implemented. A variation on what Mr. Mica was discussing earlier. The legislation would provide for a commission to ensure small aircraft safety that "would report to the President and the Congress on how to resolve disagreements among Federal investigatory and regulatory agencies responsible for small aircraft safety." A commission that would be charged with recommending a mechanism through which differences between the NTSB and regulatory agencies on Safety Board recommendations would be resolved. What would be your view about the value of such a commission?

Mr. VOGT. It has not been our experience that there is a gridlock between the NTSB and the FAA. Indeed, I think it is a constructive relationship that has served the community quite well. We would like to have a 90 percent acceptance rate of all our recommendations but I am not sure where the correct balance. As you pointed out in your opening remarks, Mr. Chairman, the FAA has different concerns than ours. Sometimes it is cost, sometimes it is a variety of other legitimate concerns. There are issues about which reasonable people in our field can disagree as well, and I think perhaps this particular tragic incident represented one of them. I would not suggest that the FAA was irresponsible in taking the position it did. Rather, it may be a classic example of the NTSB taking one position we believe is correct, and the FAA, for whatever reasons, taking another.

In the absence of gridlock or in the absence of a good faith effort to accomplish the safety mission which exists between our two agencies, I don't see the need for additional authority. I have not read the legislation, although I am aware of it. I am, therefore, reluctant to voice an opinion on the specific bill until I do. But as a general proposition, I don't think that the relationship is broken between the FAA and NTSB or that it needs to be fixed.

Mr. OBERSTAR. I would agree with that. But the proposed legislation would give the Board some degree of authority to impose its safety recommendations on regulatory agencies. The Board now has some degree of isolation from industry pressures when making safety recommendations largely because those recommendations are not automatically implemented. The Board can conduct its investigation, make its recommendations without having to do a detailed cost-benefit analysis, for example. But if it had authority to impose recommendations on the regulatory agency and therefore on the industry, the Board might then be subject to pressures from industry sources over the issue of costs, over the issue of speed of implementation just as we were discussing a moment ago. Wouldn't that affect the Board's ability to carry out its mandate to be independent?

Mr. VOGT. I think, Mr. Chairman, you are right. And it is a matter of concept. If we had mandatory authority, then we're no longer an independent body; we are a regulatory authority because we would have the power to regulate. I think that if we were to have regulatory authority, the NTSB would be a much different agency than we are today. If there is a justification for that, then I think we would need to be structured differently. We would also need to do cost-benefit analysis and other kinds of analysis and——

Mr. OBERSTAR. And have a much larger staff.

Mr. VOGT. Well, we would become another regulatory agency and perhaps then there would be another separate independent agency to do what we do. But I think it is a matter of concept and our current concept would be violated if we had regulatory authority.

Mr. OBERSTAR. Going back in time, my recollection of the establishment of the NTSB was in 1968 when the Congress created the Department of Transportation it included in the DOT an independent aviation accident investigation unit and the predecessor of what we now know today as the National Transportation Safety Board.

Very quickly, the accident investigation unit was absorbed back into the FAA and also fairly soon the Congress realized that if accident investigation is to be a truly objective, independent analysis and evaluation of the circumstances and recommendations for avoidance in the future, this agency needed to be independent and separated it from the DOT in a subsequent reorganization act. That history ought to teach us a lot. The Board's current status gives it an almost impeccable quality I would not want to interfere with.

Mr. VOGT. I think it would be jeopardized if we became a regulatory outfit. I might add that the Canadians, again as you pointed out earlier, were faced with a question of whether to establish an independent safety board several years ago. They opted to do it. They also opted to have a board of political appointees in part to emulate our board structure. There is consideration being given now actively in France to establishing a similar framework. The British agency is independent but it does not have a board. Sweden has recently adopted a limited independent safety board. And the Chinese are very interested in establishing an independent safety board. I think, as you point out, to make us regulatory is to remove our independence.

Mr. OBERSTAR. De-icing, a subject which Mr. Clinger and I have both taken a very active interest and coauthored legislation that is now in place. Since the USAir accident last March which has been determined to be caused by a failure to de-ice close enough to departure, FAA has conducted an international symposium on de-icing, it has imposed requirements on airlines to define and implement de-icing procedures, we have authored legislation that provides funding for construction of de-icing facilities and recirculation of de-icing liquids. Has the Board evaluated the steps taken by the FAA? Are they in line with the Board's recommendations? Are they moving fast enough and doing enough in this area?

Mr. VOGT. We have not drawn conclusions as yet, but we are reviewing the operation of this last winter under the interim FAA Plan. Our initial impression is that it was quite effective and it was certainly a major step in the right direction. But we have not drawn any final conclusions as yet.

Mr. OBERSTAR. I would urge you to continue to follow that matter very closely. I know there is a great deal of discussion within the industry and within the FAA about the procedures of how the crew checks wings before, during, and after de-icing procedures and whether that is sufficient. There is much discussion about this subject.

Mr. VOGT. Our recommendations on the subject remain open.

Mr. OBERSTAR. Going back to this table of timeliness of accident reports, time between occurrence and the adoption of reports, it appears that the Board works quicker on aviation accident investigation reports than on other modes of transportation. Do you have any explanation for that?

Mr. VOGT. That is true. As a matter of fact, I am pleased to say that the length of time to complete our aviation accident reports is moving down. The most recent ones are in the nine-month range. Between July and December of 1991, we had a rash of six major railroad accidents. That, combined with our reorganization and a

very substantial change in the way reports were produced, caused a backlog. We still have three old reports that will come to the Board this year. So we think we're over the hump. The accidents we have in railroad which occurred within the last year are going to be, we think, under 12 months from occurrence to final report.

The same is true in marine and highways. We have adopted the Palm Springs bus accident report, and the Vernon bus accident report is going to be before the board very shortly. That is going to be at about an 11-month level. The QE2 maritime accident is going to come before us after nine months. So we are making a lot of progress in that area. If we just don't get hit with a rash of accidents in these areas where we are fairly thinly staffed, we will be able to maintain this. We also think the quality of these reports that are coming out now is far superior to those that have been turned out by us in surface transportation in the past. We're making some progress. A year from now I fully expect these numbers to be down or I'll certainly be interested in why they're not.

Mr. OBERSTAR. If you have staff reductions that time length will grow in the future.

Mr. VOGT. That is clearly going to complicate our task.

Mr. OBERSTAR. Either the time for the reports will grow or the quality will diminish.

Mr. VOGT. That's correct. You can't have one without the other. If you have fewer people, you are going to have delays.

Mr. OBERSTAR. Mr. Clinger.

Mr. CLINGER. Going back to the question of whether to give you regulatory authority or not. You make recommendations to the FAA in a broad range of areas and to other regulatory agencies about what they should be doing. If those recommendations are basically rejected out of hand, do you have any recourse to get a reconsideration or to jawbone on them or is there any formal procedure for having reconsideration?

Mr. VOGT. We have gradations of attention that we pay to these. We have continuing correspondence to encourage the adoption of the recommendations. When we get to the point where they have just been rejected out of hand, we close them as unacceptable action having been taken. A mechanism which was adopted a couple of years ago was our "Most Wanted" list which we publicize. We have 16 issues on it. I have found in dealing with the modal administrators that it is a list that everyone would like to be excluded from. I think it is fairly effective, particularly as to new items coming up. In at least a couple of instances, I think we were able to get some direct results in order to avoid inclusion in the list. But finally, I must say, Mr. Clinger, that we try to draw the attention of the funding committees and that's where I think the Congress has done an excellent job. We will be coming back to you on those areas to bring to your attention those areas when we think action is not being taken that should be taken.

Mr. CLINGER. You say the funding committees, you mean the appropriations committees also?

Mr. VOGT. Yes.

Mr. CLINGER. How about the authorizing committee?

Mr. VOGT. We include you as well.

Mr. CLINGER. Thank you. In view of the many travails that the aviation industry has had to undergo in recent years with wars and recession, rising fuel prices, all the rest of it, has there been an increase in the number of accidents caused by poor maintenance that you have observed or is the correlation between pilot error or crew air and maintenance about the same as it has always been?

Mr. VOGT. I think it is about the same. Anecdotally we have to watch because everybody suspects in economic bad times that airlines will try to cut back on maintenance. I can't say that we have found any institutional evidence of that. There were stories about Eastern Airlines that I think were well-known. We have made some recommendations which had to do with Continental Express that are in the public domain. But to correlate maintenance failures on the part of any given carrier with that carrier's economic circumstance is not a correlation that we have made.

Mr. CLINGER. That's good. I am delighted to hear that.

Mr. OBERSTAR. Mr. Horn.

Mr. HORN. One question comes to mind based on those correlations. There is a limit on age in the airline industry, I believe 60 years. Have you ever had any evidence or any pattern in the accidents where the age of the pilot actually was a factor in that accident?

Mr. VOGT. Not in my term. I would have to refer to Bud here, but I don't think so. I have flown in a lot of cockpits particularly on international flights where the flight engineer turns out to be someone over 60 who used to be a captain and is now serving as flight engineer. But I don't think we have found that. I know the FAA went through some hearings, but I don't believe it has been a part of our findings.

Mr. HORN. I am not familiar with the FAA's role in this, Mr. Chairman, but I must say it does concern me when very able people who happen to have hit 60 years of age suddenly are told they can't fly anymore. Unless there is some real evidence behind it, it sounds to me like there are other factors—and I don't blame people from 25 to 60 that would like to get promoted to pilot, I understand that. On the other hand, when you have competent people with a lot of experience, I don't know why they are thrown out of work suddenly.

Mr. VOGT. I certainly used to feel differently about it than I do now. [Laughter.]

Mr. HORN. Well, since I have now hit 61, I am becoming very enthusiastic. [Laughter.]

Mr. OBERSTAR. The gentleman has just touched on a piranha-filled area of aviation waters.

Mr. Collins.

Mr. COLLINS. I'm fine.

Mr. OBERSTAR. If you could think of four or five top safety recommendations in aviation the Board would like to make, what would those be?

Mr. VOGT. I think runway incursions would certainly be one. It is on our "Most Wanted" list and it is one that we are continually after. We think the FAA has a plan that will be effective, but we would like to see it implemented more quickly. One of our aviation recommendations on that list also has to do with the takeoff per-

formance and runway length requirements for large transport aircraft. We have made recommendations that would reduce the rejected takeoff hazards for those aircraft and we think that's an important consideration. We also have recommendations on testing of aircraft structures to service lives and we think that is someplace that a good deal of advance could be made. Those are the ones on our "Most Wanted" list. There are a lot of others and I would put up there close to the top our recommendations on icing and the extent to which the interim rule and the final rule, which the FAA is going to come out with, is going to satisfy us.

As a result of that Colorado Springs accident, and at this point I am not sure I could adequately prioritize, but we made recommendations having to do with meteorology in the Colorado Springs area concerning rotors. We weren't able to resolve the potential problem of wind rotors because we didn't have the database. One of the areas where we have gotten response to our recommendations is in wind sheer.

I am not sure where I would prioritize from there. In the commuter business, we are encouraged that we're getting into the area here of flight data recorders and TCAS is something that we are anxious to see the airlines adopt. We have seen a lot of safety improvement we think in the major 121 carriers as a result of ground proximity warning systems. They are going to be installed on aircraft with 10 or more seats. We would like to see them in corporate aviation as well. We have recommended retrofitting there rather than just installation in new aircraft.

So there are a number of areas like that where we think we can see direct results from some of our recommendations. But we would like to see movement more quickly. But those would be some that I would prioritize.

Mr. OBERSTAR. They are certainly very good suggestions, areas of great importance and forward thinking on the part of the Board. I would like to see any elaboration—not today—but elaboration of the recommendation for braking ability in transport aircraft.

Mr. VOGT. I'd be glad to supply that to you.

Mr. OBERSTAR. That's of very keen interest. I think the French also are moving in the direction finally of requiring ground proximity warning systems after the Strasbourg crash that could have been prevented.

Mr. VOGT. It is very frustrating because ICAO reported this year that the increase in controlled flight into terrain, so-called CFITs, is still the number one international problem. As you recall, back in the 1970s there were any number of domestic accidents involving 121 carriers where there was controlled flight into terrain. We believe the ground proximity warning system has had a direct impact on reducing the number of those accidents involving U.S. carriers, and yet it has not been adopted internationally to the extent that it should be. Just last year I think there were four Airbusses that were lost through controlled flight into terrain that probably could have been saved. We think there were a couple of commuter accidents this year where there would have been a 15 second, 13 second warning, and also a couple of corporate accidents in 1992 where a ground proximity warning system would have given the crew warning time. It is a very important issue.

Mr. OBERSTAR. What do you think should be the proper balance or proper amount of time and resource devoted by the Board to what I would generally call safety research, taking a broader and longer look at its work relating modes to each other, the lessons learned from safety in one mode to another, and just looking ahead in various transportation modes at the problems.

Mr. VOGT. We would certainly like to have the manpower and the resources to do that, the luxury, if you will, to sit back and think about these things from an intermodal context. We do safety studies, as you know, and we have several underway. These are quite often collaborative efforts between our research and engineering division and our surface or aviation offices. We get a coming together, a coalescence of experience from our various disciplines that cross modal lines. But to actually take something and make a study across all modal lines is not something that we have done directly. I think it would be very fascinating to be able to do that. We got into it a little bit in alcohol which crosses lines. But we really haven't done it in a macro sense.

Mr. OBERSTAR. I would very much like to see the Board expand its work in this area and I hope we can find the resources to do that.

Are there any further questions from Members?

[No response.]

Mr. OBERSTAR. I want to thank you for your presentation here today. It was a sterling performance. I urge you to continue your vigilance on behalf of lives yet to be saved.

Mr. VOGT. We can guarantee you that we will do that. And we thank you for your support.

Mr. OBERSTAR. Thank you. The subcommittee stands adjourned.

[Whereupon, at 4:12 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

PREPARED STATEMENT OF WITNESS

National Transportation Safety Board

Washington, D.C. 20594

Safety Information

Testimony of

Carl W. Vogt, Chairman

National Transportation Safety Board

Before the

Committee on Public Works and Transportation

Subcommittee on Aviation

House of Representatives

Regarding

NTSB Reauthorization

May 4, 1993

Mr. Chairman and Members of the Committee. I am pleased to appear before you on behalf of the National Transportation Safety Board. Over the years, this Committee's support of the Safety Board has had a major and beneficial impact on the Board's effectiveness. The Board Members, as well as the staff, are grateful for your active interest in and support of our work, and we look forward to continuing this cooperative relationship.

Before discussing the three-year reauthorization we present today, I would like to highlight some of the Board's activities.

Summary

Last year marked the Safety Board's 25th anniversary, and we believe there is no doubt that since its inception, the Board has contributed in a significant way to enhancing transportation safety not only in the United States, but also throughout the world.

As you know, the Board's mission is to investigate transportation accidents, determine their probable cause, and make recommendations designed to prevent such accidents from recurring. We also conduct safety studies and special investigations as warranted to enhance public safety.

As a result of more than 50,000 Safety Board accident investigations in the past quarter-century and many safety studies, we have issued more than 9,000 safety recommendations covering a wide range of transportation safety issues. These safety recommendations are our most important product, since

they are the lever used to bring about changes and improvements in transportation safety.

History has demonstrated that this lever is effective. The fact that in excess of 80 percent of the Safety Board's recommendations issued over the years have been implemented, clearly demonstrates the effectiveness of our efforts.

Transportation Fatalities

The safety of America's transportation system improved in 1992 with fewer deaths reported than in previous years. Although only preliminary data are available, it would appear that fewer than 42,000 people died on our transportation systems in 1992. Transportation-related fatalities in 1991 totalled 43,631, compared with 47,014 in 1990.

Aviation

In aviation, our January preliminary statistics show the number of fatalities aboard commuter airplanes dropped to 21 in 1992 -- from 77 a year earlier. Large scheduled commercial carriers registered four fatal accidents and 33 fatalities in 1992, compared to the same number of fatal accidents and 50 deaths the year before. The 33 fatalities represent the lowest number of deaths since 1986, when five persons died in that category. In general aviation, there were 408 fatal accidents and 812 fatalities in 1992, compared to 414 fatal accidents and 746 deaths in 1991.

Our major accident investigations included the crash of a USAir Fokker F-28-400 at LaGuardia Airport in which twenty-seven of the fifty-one people on board died. Calendar year 1992 also marked only the fourth time in our history that we were unable to conclusively determine the probable cause of a large air carrier accident. Despite an exhaustive and rigorous 20-month-long investigation, the Safety Board could not identify conclusive evidence to explain the crash of a United Airlines B-737 aircraft near Colorado Springs, Colorado.

In addition to our primary role in the investigation of domestic aviation accidents, our work increasingly involves participation in investigations of aviation accidents and incidents that occur in other countries. To a great extent this is due to the burgeoning of aviation operations overseas.

In fact, statistics compiled by the International Civil Aviation Organization (ICAO) reveal that international airline traffic doubled in the past decade, and projections are that traffic will double again by the year 2001. If the current accident rate remains the same, or even decreases slightly, the actual number of accidents we investigate will increase. Because of the Safety Board's status as the sole U.S. accredited representative in foreign accident investigations, U.S. manufacturers and operators rely heavily upon the Board to facilitate their involvement in the investigation of foreign incidents and accidents.

Last year alone, Safety Board investigators participated in 60 investigations in more than 50 different nations. So far this year, our aviation investigators have been to accident scenes in China and Guatemala.

Railroad

The Safety Board performs in-depth analyses of selected rail accidents and grade crossing accidents. Our efforts are concentrated on accidents in which resolution of significant railroad safety issues will not only improve safety for passengers, crews, and communities that interact with the railroad system, but also guard the environment.

In addition to railroad accident investigations, the Safety Board also conducts special studies and investigations on railroad safety issues. While these activities fall under the jurisdiction of another authorizing committee, some of the issues investigated include tank car and locomotive fuel tank integrity, collision avoidance, and work/rest cycles on train crews.

Highway

The Safety Board also investigates highway accidents, including railroad grade crossing accidents. Studies of safety factors relating to heavy commercial truck brakes and highway construction work zone hazards were adopted by the Board last year. Moreover, as a result of investigations of six limited-visibility, chain-reaction collisions on our highways, the Safety

Board urged the initiation of a joint federal-state-industry effort to help ensure that guidance for limited-visibility driving is more uniform and complete throughout the nation.

In another area, the Safety Board recently called on all states to tighten and vigorously enforce their young driver licensing and underage drinking and driving laws. Young drivers (ages 20 and under) are over-represented in traffic accidents and deaths.

According to figures from the National Highway Traffic Safety Administration (NHTSA), this group comprises 7.I percent of the licensed drivers, but accounts for 14.9 percent of all driver fatalities. On the basis of automobile crashes per 100,000 licensed drivers, young drivers are in the highest risk group.

Marine

Passenger vessel safety continues to be a key transportation issue for the Safety Board, particularly with the sustained growth of the cruise vessel industry. Crew training, communications, emergency drills, human factors and fatigue are areas of concern for passenger as well as other vessels. Licensing and inspection requirements for fishing vessels and oversight of Coast Guard efforts in this area also remain Safety Board interests.

The Safety Board will soon consider the accident investigation report on the August 1992, grounding of the Queen Elizabeth II off the

Massachusetts coast. The Board also recently completed a safety study on recreational boating safety that addressed a number of measures intended to reduce the number and severity of recreational boating accidents, including alcohol countermeasures, use of personal flotation devices (PFDs) for children, and boat operator training.

Pipeline

In 1992, the Safety Board conducted three significant fatal pipeline accidents. The Safety Board also is leading the investigation into the cause of last month's pipeline rupture in Reston, Virginia, which resulted in the release of about 400,000 gallons of diesel oil into a tributary that flows into the Potomac River immediately upstream of a water intake facility.

Reauthorization Request

The Safety Board is requesting authorization levels of $37.125 million and 348 Full Time Equivalents (FTEs) for fiscal year 1994, $44 million and 384 FTEs for fiscal year 1995, and $45.1 million and 384 FTEs for fiscal year 1996.

The requested authorization for fiscal year 1994 is consistent with the Safety Board's 1994 Congressional appropriations request. The fiscal year 1994 request represents an overall increase for uncontrollable expenses ($1.125 million) over our current appropriations and reflects a decrease of nine FTEs from our fiscal year 1993 appropriations and 33 FTEs below our

current authorization. This level represents the first phase of the four percent across-the-board personnel reduction proposed by the President. If approved by Congress, the reductions will be applied across all Safety Board divisions. Technical and investigative positions, as well as administrative positions, will be affected.

The staffing level requested for fiscal years 1995 and 1996 includes three FTE positions more than our current authorized staffing level of 381. These positions are required to perform the adjudicatory functions in civil penalty cases involving pilots and flight engineers. This program responsibility was transferred to the Board from the Federal Aviation Administration in September 1992.

In addition to an increase in staff for fiscal years 1995 and 1996, the requested reauthorization contains funds for increased costs related to inflation, civilian benefits, pay raises, promotions and within-grade increases.

The request for fiscal year 1995 also includes increases for the permanent change of station program, training, laboratory and investigative equipment. These items are essential to the Safety Board's ability to retain and attract the highest caliber employees.

The request does not include funding for locality pay increases that may be implemented during the period covered by this reauthorization proposal, nor does it propose changes to our existing statutory authority.

Conclusion

As this subcommittee knows from our 1990 reauthorization, the Safety Board has had a long-term goal of reaching its optimum personnel level of 381 FTEs. The Safety Board believes three FTEs must be added to this optimum level in order to carry out our responsibilities under the civil penalty appeals program. Other than these new three positions, the 1995 and 1996 requests are consistent with our current authorized levels.

The Safety Board is aware of the budget constraints facing the Congress and recognizes that some funding reductions must be made.

Rest assured, however, that the Safety Board will continue to operate on a 24 hours a day, 7 days a week, 12 months a year basis in order to investigate transportation accidents or incidents.

The Committee can also rest assured that no matter what happens, the Safety Board will, as it always has, accomplish its safety mission.

I thank the Committee and am pleased to answer any questions.

NORMAN Y. MINETA, California
Chair

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DOUGLAS APPLEGATE Ohio
RON DE LUGO Virgin Islands
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May 11, 1993

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The Honorable Carl W. Vogt
Chairman
National Transportation Safety Board
490 L'Enfant Plaza East, SW
Washington, D.C. 20594

Dear Mr. Chairman:

Thank you for your testimony last week before the Aviation Subcommittee on the reauthorization of the National Transportation Safety Board. Your testimony was enlightening, and as always, we appreciate NTSB's candidness with the Subcommittee.

To better understand the Board's involvement in international accidents, I would appreciate responses to the following questions by June 1, 1993:

1. Please provide the written agreement between NTSB and the International Civil Aviation Organization (ICAO) which outlines what kind of international investigations NTSB is required to conduct. What level of participation is required? Does the level of participation vary depending on the circumstances?

2. Provide information on what international aviation investigations NTSB has participated in over the last 5 years. What investigations was NTSB required to participate in due to ICAO agreements and what investigations was NTSB's participation based on an invitation or a decision by NTSB?

3. Please provide the amount of NTSB resources which have been spent on each international accident investigation NTSB was involved in over the last 5 years. (This figure should be fully loaded costs including overhead, salaries, capital investment, etc.)

4. Does NTSB also conduct or participate in international accident investigations in transportation modes other than aviation? If so, please answer the above questions for investigations of other international transportation accidents.

Thank you in advance for your quick response to these questions.

Sincerely,

William F. Clinger, Jr.
Ranking Member
Subcommittee on Aviation

WFC:dm

National Transportation Safety Board
Washington, D.C. 20594

Office of the Chairman

June 2, 1993

Honorable William F. Clinger, Jr.
Ranking Republican Member
Subcommittee on Aviation
Committee on Public Works and
Transportation
House of Representatives
Washington, D. C. 20515

Dear Congressman Clinger:

This is in reference to your May 11, 1993, letter requesting information on the Safety Board's involvement in international accidents.

The responses to your questions are enclosed. If we can be of additional assistance, please do not hesitate to contact us.

Sincerely,

Carl W. Vogt
Chairman

Enclosure

cc: Honorable James L. Oberstar
Chairman, Subcommittee on Aviation

1. Please provide the written agreement between NTSB and the International Aviation (ICAO) which outlines what kind of international investigations NTSB is required to conduct. What level of participation is required? Does the level of participation vary depending on the circumstances?

Response: The National Transportation Safety Board is the United States agency charged with fulfilling the U.S.'s obligations related to civil aircraft accident investigation activities under the provisions of the Convention on International Civil Aviation. The Convention is administered by the International Civil Aviation Organization (ICAO) located in Montreal, Canada. The procedures for international accident investigations are contained in Annex 13 to the convention.

In the event of a major accident involving a U.S. airline, or U.S. manufactured aircraft, the Safety Board will lead an investigative team to assist in the investigation. The investigative team will consist of a U.S. Accredited Representative, who is a senior Safety Board investigator, Safety Board technical specialists, and FAA and U.S. aviation industry representatives/specialists. The Safety Board also makes available to the investigation the services of its laboratory and technical personnel in reading out the Cockpit Voice Recorder (CVR) and the Flight Data Recorder (FDR) and performing metallurgical examination of components from the aircraft. Additionally, the Safety Board provides technical assistance when the foreign authorities send components of the aircraft to the U.S. manufacturers' facilities for tests and evaluation.

The Safety Board is deeply involved in overseas accident investigations by on-scene participation with the investigating authority of selected accidents and by monitoring the progress of other countries' investigations closely. Our staff maintains a close liaison with the investigation authorities of many countries, even for cases not involving U.S. airlines or U.S.-manufactured aircraft. For example, if a foreign-registered aircraft manufactured in France, Britain, or Holland, etc. crashes in another country, our staff will monitor the accident findings and, on some occasions, our staff will travel to the scene in order to assure that we are aware of any potential airworthiness or operational problems that could affect the safety of U.S. operators of the airplane involved.

The causes of overseas accidents do not vary substantially from the causes of U.S. accidents. That is, the majority of the causes involve some combination of human errors, mechanical failures, design deficiencies, maintenance problems, adverse weather, and so forth. The lessons learned from virtually any airline accident can be applied to improve the safety of U.S. operators. The Safety Board staff also maintain close communications with the Air Transport Association member airlines'

safety officials, airframe and engine manufacturers, the FAA, pilot and flight attendant unions, etc. to ensure dissemination of safety information that emerges from overseas investigations.

As would be expected, the Safety Board tries to determine the circumstances of the accident prior to sending an U.S. Accredited representative and an investigative team to participate in a foreign investigation. The level of the Safety Board's participation in the investigation will depend upon initial information that we receive from the foreign investigative authorities or the manufacturer's on-scene technical representatives. In some cases the Safety Board has sent only a U.S. Accredited Representative and on others a complete investigative team. In cases where there are no serious injuries or the cause of the accident is readily apparent, the Safety Board will not send an Accredited Representative but will monitor the investigation thorough contacts with the foreign authorities and the U.S. manufacturer's technical representatives.

Finally, the Safety Board normally receives copies of the final reports of foreign accident and incident investigations concerning both U.S.- and foreign-manufactured airplanes from our colleagues overseas. The Safety Board reviews these accident reports to determine if there are airworthiness problems that would effect airplanes operating in the U.S. and operational procedures of other countries that could effect the safety of U.S. airlines operating into those countries. Additionally, the Safety Board reviews foreign accident reports for areas to improve the safety of the traveling public.

2. Provide information on what international aviation investigations NTSB has participated in over the last 5 years. What investigations was NTSB required to participate in due to ICAO agreements and what investigations was NTSB's participation based on an invitation or a decision by NTSB?

Response: In calendar year 1992, the Safety Board sent investigative teams to assist in the investigation of 7 major aviation accidents overseas pursuant to our ICAO obligations. These accidents resulted in 414 fatalities and 154 serious injuries. A brief summary of these major investigations follows:

On December 21, 1992, about 0830 local time, a Martinair DC-10 crashed on the runway at Faro, Portugal. The airplane was being operated on a charter flight from Amsterdam to Faro. The airplane was on its second approach to the airport, in heavy rain, when it struck the runway. The pilot reported getting a strong down gust of wind in the final moments of the approach. There were 327 passengers and 13 crew members on board. Two flight attendants and 52 passengers were fatally injured. The Portuguese investigators are in the process of completing a draft report on the accident.

On November 24, 1992, China Southern Airways flight CZ3943 impacted the face of a nearly vertical mountain while on approach

to Guilin, China. All 141 persons on board the airplane were fatally injured. The U.S. Investigative team was headed the NTSB U.S. Accredited Representative and included technical experts from the FAA, Boeing and General Electric. This was the first ever U.S. investigative team to work in China on an ICAO Annex 13 investigation. Due to the impact and location of the wreckage in a falling rock area only about 2 percent of the wreckage was recovered. The cockpit voice recorder and the flight data recorder were located and brought to the Safety Board's laboratory for inspection. The investigation is examining the extent to which possible problems with one engine and flightcrew procedures may have contributed to the accident.

On October 5, 1992 the Safety Board's sent a team to Amsterdam, The Netherlands, to participate in the investigation of the accident involving El Al flight 1862, a Boeing 747 freighter, which crashed shortly after takeoff from Schiphol Airport. The five flightcrew members and 55 persons on the ground were fatally injured. Previously on December 29, 1991, Safety Board investigators traveled to Taipei, Taiwan to participate in the investigation an accident involving China Airline flight CI-358, a Boeing 747 freighter, that crashed shortly after takeoff. The five flightcrew members were fatally injured. The investigations determined that in both accidents the No. 3 engine had separated from the wing and subsequently struck the No. 4 engine which then also separated from the wing. As a result of the Safety Board's participation in these investigations, on November 3, 1992 four recommendations were issued to the FAA. The recommendations addressed the reduction in inspection times for the pylon-to-wing attachment fuse pins, the installation of a mid-spar fuse pin indicating stripe as a check for wing-to-pylon misalignment before each flight, performance of instrumented flight tests to validate the loads on the fuse pins, and to make available a newly designed fuse pin. The initial FAA response to these recommendations has been positive.

On June 7, 1992, the Government of Panama requested that the Safety Board assist in the investigation of an accident involving COPA Air Lines flight 201, a Boeing 737-200, which crashed near Tucuti, Panama on June 6, 1992. All 47 persons on board the airplane were fatally injured. The investigation of this accident involved Safety Board investigators spending several weeks in the Derian jungle of Panama searching for and examining wreckage. The cockpit voice recorder and flight data recorder were sent the NTSB laboratory for analysis. Additionally, many of the airplane's instruments, electronic packages, and hydraulic system components were returned to the U.S. for examination and testing under the supervision of Safety Board investigators. The Panamanian investigator-in-charge expects to have a draft report completed by the end of May 1993.

On February 9, 1992, a Gamcrest Convair 640 crashed near Kafoutine, Senegal. The airplane was a charter flight to the Club Med resort at Cap Shirring, Senegal. Of the 57 persons on board

the airplane, 30 were fatally injured, 20 received serious injuries, and the remaining 7 had minor or no injuries. The Safety Board sent investigators to the scene to assist in the investigation. The investigation determined that the crash had occurred before dawn and that the flightcrew had apparently mistaken a row of lights near the town to be the runway lights. The airplane had descended into the trees before the pilots had realized their mistake and initiated a climb.

On January 20, 1992, investigators traveled to Strasbourg, France to participate in the investigation of an Air-Inter A-320. The airplane had crashed while on the landing approach. Of the 96 persons on board, 87 were fatally injured and 4 had serious injuries. The Safety Board has worked closely with the French investigative authorities and the manufacture of the advanced technology airplane to determined the cause of the accident. A draft report on the accident has been provided to the all of the participants to the investigation and a final report is expected to be completed by the end of May 1993.

Additionally, during 1992, the Safety Board provided the services of its laboratories and specialists to support about 50 foreign accident investigations. A considerable amount of these cases involved reading out and analyzing cockpit voice recorders and flight data recorders and the examination and analysis of materials failures in the Safety Board's laboratories. Additionally, the Safety Board sent specialists to U.S. facilities to attend the inspection and testing of U.S.-manufactured components sent to the U.S. by foreign investigation authorities.

In the previous four years the Safety Board sent investigators to participated in the following investigations:

- China Air, Boeing 747-200, Taipei, Taipei, December 29, 1991
- Scandinavian Airline System, McDonnell Douglas MD-80, Stockholm, Sweden, December 27, 1991
- TransBrazil Airlines, Boeing 767, Sao Paulo, Brazil, September 30, 1991
- Indian Airlines, Boeing 737, Impnal, India, September 16, 1991
- Nation Air, McDonnell Douglas DC-8-61, Jeddah, Saudi Arabia July 11, 1991
- Lauda Air, Boeing 767, Thailand, May 28, 1991
- Delta Air Lines, Lockheed L-1011, Goose Bay, Labrador, Canada March 17, 1991
- Piper Malibu, Tottori, Japan November 17, 1990
- Alitalia, McDonnell Douglas, DC-9, Zurich, Switzerland November 15, 1990
- Heli-Union, Sikorski S76A, Paris, France, May 14, 1990
- Philippine Airlines, Boeing 737, Manila, Philippines, May 11, 1990
- Aerial Transit, McDonnell Douglas DC-6, Guatemala City, Guatemala, May 5, 1990
- Indian Airlines, Airbus A-320, Bangalore, India, February 14, 1990

- Cave Airways, Cessna C-402, Caracas, Venezuela, November 27, 1989
- Avianca Airlines, Boeing 727, Bogota, Columbia, November 27, 1989
- Tan Sahsa Airlines, Boeing 727, Tegucigalpa, Honduras, October 21, 1989
- Skylink Airways, Sweringen SA-227, Terrace, British Columbia, Canada, September 26, 1989
- UTA, McDonnell Douglas DC-10, Djamani, Chad, September 19, 1989
- Partinair, Convair 580, over the North Sea near Norway, September 8, 1989
- Varig Airlines, Boeing 737, Belem, Brazil, September 3, 1989
- Pakistan International Airlines, Fairchild F-27, Gilgit, Pakistan, August 25, 1989
- Charter, deHavilland DHC-6, Ethiopia, August 7, 1989
- Suriname Airways, McDonnell Douglas DC-8-61, Paramaribo, Suriname, June 6, 1989
- DOS, Cessna 208, Tingo Maria, Peru, May 20, 1989
- Independent Air Inc. Boeing 707, Santa Maria, Azores, February 8, 1989
- British Midlands Airlines, Boeing 737, Leicester, United Kingdom, January 8, 1989
- Pan American Airlines, Boeing 747, Lockerbie, Scotland, December 21, 1988
- India Airlines, Boeing 737, Ahmedabad, India, October 19, 1988
- Eastern Airlines, Boeing 757, San Jose, Costa Rica, September 29, 1988
- Air France, Boeing 747, New Delhi, India, July 23, 1988
- Air France, AirBus A-320, Mulhouse, France, June 26, 1988
- LACSA Airlines, Boeing 727, San Jose, Costa Rica, May, 23, 1988
- Avianca, Boeing 727, Cucuta, Columbia, March 17, 1988

Of the above 39 accidents, all but 2 involved U.S. manufactured airplanes. In the two cases involving the AirBus A-320 the Safety Board was requested by the country of occurrence to participate in the investigation. As these were the first accidents involving this advanced technology airplane and several U.S. air carriers were operating or had ordered A-320s, the Safety Board found that it was in the best interests of the traveling public to participate in these two investigations.

Five of the above cases involved U.S. air carriers. Per the provisions of Annex 13 the Safety Board is automatically a part of the investigation. In the remaining cases involving foreign registered, U.S. manufactured airplanes, Annex 13 allows the participation of the country of manufacture if invited by the country of occurrence. As the causes of overseas accident can be applied to improve the safety of U.S. operators and the U.S.'s position as the state of the manufacturer and the certification authority it is important that the Safety Board represent the U.S. interests. The FAA, U.S. manufacturers, the U.S. airlines rely heavily upon the Safety board to facilitate their involvement in the investigation of foreign incidents and accidents. Once again, any accident involving an airlines in any part of the world, can

have an adverse effect on U.S. interests and the traveling public.

3. Please provide the amount of NTSB resources which have been spent on each international accident investigation NTSB was involved in over the last 5 years. (This figure should be fully loaded costs including overhead, salaries, capital investment, etc.)

Response: Unfortunately, the Safety Board cannot provide the amount of resources spent on each international accident investigation in which it was involved over the last five years. However, the following total resource amounts for foreign investigations (in thousands of dollars) are provided by fiscal year:

Fiscal Year	Amount
1990	$659
1991	$676
1992	$696
1993*	$716
1994*	$809

* Estimates

4. Does NTSB also conduct or participate in international accident investigations in transportation modes other than aviation? If so, please answer the above questions for investigation os other international transportation accidents.

Response: There are no comparable treaties or agreements with foreign governments in transportation modes other than aviation. Should a foreign government ask us to participate or conduct an investigation for it, depending on the circumstances and type of accident, we would consider it.

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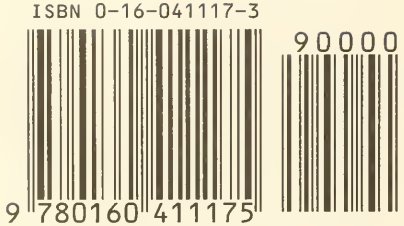
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